



c/o Susan Reed, Secretary
MCIRR Steering Committee
3030 S. 9th St. Suite 1B
Kalamazoo, MI 49009

May 23, 2016

Michigan House of Representatives
Criminal Justice Committee
c/o Committee Clerk Angie Lake
124 North Capitol Avenue
Lansing, MI 48909-7514
alake@house.mi.gov

BY ELECTRONIC MAIL

Re: Statement of Opposition to HB 5602

To Whom It May Concern:

The Michigan Coalition for Immigrant and Refugee Rights is a membership organization of more than forty nonprofit groups serving immigrants and refugees statewide. (A full list of our members is available at mcirr.org.) We are writing to express our concern about HB 5602, which is on the agenda for a meeting in your committee tomorrow. We urge you to consider the negative impact this bill would have on the communities we serve and represent.

The bill would greatly increase the penalties for driving without a license and remove all discretion from officers in stops of unlicensed drivers. Tens of thousands of noncitizens in Michigan have been categorically excluded from holding driver's licenses since 2008, when Michigan's Vehicle Code was first amended to require proof of "legal presence." See MCL 257.302(1). The impact of this change has been devastating, as many undocumented immigrants as well as other noncitizens who lacked adequate proof of their legal presence (as well as some U.S. citizens who lacked sufficient proof of their citizenship) lost the legal right to drive in a state where access to public transit is very limited. Drivers who had been dutifully paying application fees, providing personal information, taking vision and road tests, and buying insurance were suddenly excluded from the system.

As members and staff of organizations serving immigrants statewide, we know that our country's immigration system is broken and we long for a more just system. In the meantime, our parents, friends, neighbors, and selves who are unable to drive legally struggle greatly, and, yes, sometimes do drive to school, to work, to worship, to stores, to medical care. Many noncitizens who cannot drive legally are part of "mixed immigration status" families and have U.S. citizens spouses and children who rely on them. Impounding all vehicles, destroying all plates, and threatening imprisonment for a year will simply make a harsh system harsher – it won't change the realities and pressures that lead our community members who are excluded from the current system to choose to drive.

The broken immigration system is a federal issue, but there are state solutions to the driver's license problem available. We would urge the members of your committee to consider joining eleven states, the District of Columbia, and Puerto Rico in adopting legislation that would again make some form of driver's license available regardless of immigration status. Many members of our communities who long to be more integrated and less excluded would come forward enthusiastically to pay fees, purchase insurance and vehicles, and place their personal information on file with the state. We are available to provide further analysis and share model legislation from other states at any time. If that were the reality, our communities would likely view legislation like HB 5602 differently. Until then, we urge you to consider its impact in light of our concerns.

Thank you for your leadership, service, and commitment to the public interest.

Sincerely,

A handwritten signature in cursive script, reading "Susan E. Reed".

Susan E. Reed
Secretary, MCIRR Steering Committee